

[REDACTED]

[REDACTED]

From: Al Hee

Sent: Saturday, June 8, 2024 9:17 PM

To: Ted Hearn <tedhearn@gmail.com>

Subject: RE: Checking in

Hi Ted,

It is a real mess caused by DOJ (representing RUS) accepting Hawaiian Telecom's bid as the presumptive winner. The bidding procedures said the bidder must provide continuity of service to SIC's customers. HT bid was for everything and specifically exempted the last mile and service to SIC's customers. HT's bid said Continuity of Service requirement would be provided by SIC regulatory obligation. The bid should have been rejected as non-responsive. One of SIC's lenders made a bid which was for everything including uninterrupted service to SIC's customers. When DOJ sent HT's bid to the court as the presumptive winning bid; customers started to change their service from SIC to either HT or Spectrum. The loss of revenue was unsustainable. It also violates the rural exemption in Section 251. That exemption is to prevent economic damage, exactly what is happening.

I have not seen the FCC's porting order but porting violates the rural exemption in Section 252(f)(1)(a) because it causes economic damage. It is absurd for the regulatory agencies, FCC and PUC, to order a rural carrier to sustain service while at the same time the regulatory agencies are ordering SIC to transfer its customers and revenues. SIC has discontinued service to its customers with the exception of a few small areas where SIC has contractual obligations and service to the Coast Guard. SIC is operating those areas at a loss since customers in those areas have switched. It is unsustainable and will end soon.

HT's bid is public record at the US District Court; USA v. Sandwich Isles Communications Inc. et.al. as is the auction procedures order. Let me know if you need help getting those docs.

From: Ted Hearn <tedhearn@gmail.com>

EXHIBIT M

Sent: Saturday, June 8, 2024 1:05 PM

To: Al Hee <alhee@waimana.com>

Subject: Checking in

Hi Al,
I saw the FCC's number portability order Friday.
Can you tell me the latest news?
Thank you, Ted

Ted Hearn

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